

CHAPTER 11 DOWNTOWN STREETScape

Secs.	
1100	Applicability
1101	General Provisions
1102	Application Procedure
1103	Review of Streetscape Plans
1104	Modification of a Previously Approved Streetscape Plan
1105	Standards for Sidewalk Treatment
1106	Standards for Trees and Landscaping
1107	Standards for Underground Vaults
1108	Standards for Street Access
1109	Installation Requirement
1110	Maintenance Requirement
1199	Definitions

1100 APPLICABILITY

- 1100.1 This chapter shall apply to any person engaged in redevelopment or substantial rehabilitation within the Downtown.

AUTHORITY: Unless otherwise noted, the authority for this chapter is §§ IV(A) and V of Reorganization Plan No. 4 of 1983, 30 DCR 6428 (December 16, 1983), effective March 1, 1984, and Mayor's Order 84-55, 31 DCR 1323 (March 16, 1984).

SOURCE: Final Rulemaking published at 31 DCR 3598 (July 20, 1984).

1101 GENERAL PROVISIONS

- 1101.1 This chapter shall set forth minimum standards for the treatment of the sidewalk in the Downtown area. Applicants may request variations and modifications to these standards that raise the quality of the materials used or the design of the public space.
- 1101.2 Except as provided in §1101.4, the Director shall not approve the issuance of a permit listed in §1101.3 to any person unless the Director has approved a step 1 streetscape plan pursuant to §1103.
- 1101.3 Subsection 1101.2 shall apply to the approval of the following permits:
- (a) Excavation;
 - (b) Footings; and
 - (c) Location of manholes and other vaults as part of a building permit.

- 1101.4 Approval of the step 1 streetscape plan shall not be required for the issuance of an excavation permit to remove or to relocate a utility vault to prepare a site for project development.
- 1101.5 The Director shall not approve the issuance of a permit listed in §1101.6 to any person unless the Director has approved a step 2 streetscape plan pursuant to §1103 or unless the Director has approved a combined streetscape plan pursuant to §1102.5.
- 1101.6 Subsection 1101.5 shall apply to the following permits:
- (a) Paving parking;
 - (b) Paving sidewalk, alleys, curb, and gutters;
 - (c) Fence, retaining wall, and hedges;
 - (d) Grading, alleys, and roadways; and
 - (e) Driveway.

SOURCE: Final Rulemaking published at 31 DCR 3598 (July 20, 1984).

1102 APPLICATION PROCEDURE

- 1102.1 To obtain a step 1 streetscape review of a streetscape plan, an applicant shall submit an application on a form provided by the Director and ten (10) copies of the streetscape plan as part of the public space permit application process.
- 1102.2 The streetscape plan submitted for the step 1 streetscape review shall show, if known, the following:
- (a) The location, design, and dimension of all driveways and curb cuts, sewer and water connections, vaults, utility lines, proposed tree wells and existing trees, oil tank openings, and Metrobus stops, bus shelters, and Metrorail station entrances;
 - (b) The location and size of pedestrian entrances, including, but not limited to, store entrances and through building passageways;
 - (c) The size and location of shop windows;
 - (d) The location and design of loading berths, taxi, bus, and other vehicle queuing, waiting areas, or other drop-off or pick-up areas and facilities; and
 - (e) The location of existing traffic signals, parking signs, streetlight poles, and any other traffic carpool devices.
- 1102.3 To obtain a step 2 streetscape review of a streetscape plan, an applicant shall submit ten (10) copies of the streetscape plan as part of the public space permit application process.

- 1102.4 The streetscape plan submitted for the step 2 streetscape review shall show, if known, the following;
- (a) The actual paving design, landscaping treatment, final grades and other streetscape amenities and their installation detail;
 - (b) Design and location of the sidewalk level streetscape elements, including, but not limited to, the designated tree species, specific designs for any streetscape hardware, pedestrian amenities, and decorative fixtures;
 - (c) The treatment of vault covers; and
 - (d) The location of bus stops and Metrorail station entrances.
- 1102.5 Applicants may, subject to approval by the Director, submit a combined streetscape plan that shows the elements required by §§1102.2 and 1102.4. A combined streetscape plan shall be submitted pursuant to the time period set for a step 1 streetscape plan.
- 1102.6 The applicant shall clearly indicate on the submitted streetscape plan any variation or exception to the standards set forth in this chapter and the applicant shall provide a letter describing the variation or the exception and its underlying rationale.
- 1102.7 All applications for a step 1 or a step 2 streetscape review shall be submitted to the Public Space Permit Representative, second floor, 614 H Street, N.W., Washington, D.C.
- 1102.8 An applicant who submits a streetscape plan for a project in the PADC area shall submit a letter that indicates that the Pennsylvania Avenue Development Corporation has approved the elements of the submitted streetscape plan.

SOURCE: Final Rulemaking published at 31 DCR 3598, 3599 (July 20, 1984).

1103 REVIEW OF STREETSCAPE PLANS

- 1103.1 The Director shall review all submitted streetscape plans to ensure that the submitted streetscape plan and the application have all the required and necessary information.
- 1103.2 The Director shall notify the applicant within three (3) working days of the adequacy of the information included in the submitted streetscape plan. When necessary, the streetscape plan shall be returned to the applicant for the inclusion of any information that is either required or necessary.
- 1103.3 The applicant may request, and the Director may grant, upon good cause shown, that the streetscape plans be reviewed in an expeditious manner.
- 1103.4 The Director shall convene a committee to review a submitted streetscape plan and to provide a recommendation to the Director on whether the Director should approve or disapprove the submitted streetscape plan.

- 1103.5 The committee shall be appointed by the Director and shall consist of representatives of the Design, Engineering and Construction Administration, the Water and Sewer Utility Administration, the Transportation Systems Administration, the Public Space Maintenance Administration, and the Office of Policy and Planning.
- 1103.6 The Director shall request that a representative from the Office of Planning, the American Institute of Architects, the American Society of Landscape Architects, and that part of the business community that owns, manages, or develops businesses in the Downtown area serve as advisory members to the committee.
- 1103.7 When the application is for a project in the Pennsylvania Avenue Development Corporation (PADC) area, the Director shall request that a representative from the Pennsylvania Avenue Development Corporation serve as an advisory member to the committee.
- 1103.8 The committee shall, within three (3) weeks of the submittal of the streetscape plan, review the streetscape plan to determine if the streetscape plan conforms to the requirements of this chapter and recommend to the Director whether the streetscape plan (and any requested variation or exception to the standards) should be approved, disapproved, or modified.
- 1103.9 Variations or exceptions shall be recommended for approval if the applicant has demonstrated that the following conditions are satisfied:
- (a) The exception or variation will improve or raise the quality of the streetscape materials or improve or raise the quality of the design of the public space;
 - (b) The exception or variation is compatible with the adjoining sidewalk and public space;
 - (c) That if the project is in the PADC area, the Pennsylvania Area Development Corporation has approved the variation or exception;
 - (d) That if the project is an historic landmark or in an historic district, the exception or variation is compatible with the historic landmark or historic district; and
 - (e) Compliance with this chapter or any provision of this chapter imposes an undue hardship on the applicant.
- 1103.10 Except as provided for in §1103.11, the applicant shall be notified, within five (5) working days of the date the Director receives the committee's recommendation of the Director's decision. Written notification of the decision shall be transmitted to the applicant within ten (10) working days of the Director's decision.
- 1103.11 When the committee recommends disapproval of the submitted streetscape plan, or of an element of the plan, the chairperson of the committee shall immediately notify the applicant and shall arrange a meeting between the applicant and members of the committee.

- 1103.12 When applicable, the applicant shall submit an amended streetscape plan to the committee. The committee will consider the amended streetscape plan pursuant to §1103.8.
- 1103.13 When appropriate, copies of the Director's decision shall be sent to the Design, Engineering and Construction Administration and the Zoning Services Unit of the Office of Planning.
- 1103.14 Following notification of approval by the Director, the applicant shall submit three (3) copies of the approved streetscape plan to the Director.

SOURCE: Final Rulemaking published at 31 DCR 3598, 3600 (July 20, 1984).

1104 MODIFICATION OF A PREVIOUSLY APPROVED STREETSCAPE PLAN

- 1104.1 The Director may approve a modification of a previously approved streetscape plan when the following conditions are fulfilled:
- (a) Repair of a streetscape element is necessary or when construction conditions alter the situation that produced the original streetscape plan;
 - (b) Adhering to the approved streetscape plan will impose an undue hardship for the applicant; and
 - (c) A viable alternative and modified streetscape plan is proposed.
- 1104.2 Modifications to approved streetscape plans shall be submitted pursuant to §§1102 and 1103. The Director shall determine how many copies of the proposed modified streetscape plan the applicant shall submit.

SOURCE: Final Rulemaking published at 31 DCR 3598, 3602 (July 20, 1984).

1105 STANDARDS FOR SIDEWALK TREATMENT

- 1105.1 On those sidewalks and streets which are not listed in §1105.3, the sidewalk shall be paved with pressed concrete pavers which shall meet the following requirements:
- (a) The size shall be two feet by three feet by two inches (2 ft x 3 ft. x 2 in.) , or the appropriate metric equivalent;
 - (b) The color shall be natural limestone gray;
 - (c) Except at the corner, the pattern shall be either trisected running bond which is perpendicular to the curb or another acceptable pattern;
 - (d) The pattern at the corner of a sidewalk shall be either a herringbone pattern or another acceptable pattern;

- (e) The joint shall have a maximum width of one-quarter of an inch ($1/4$ in.), with a combined width across the top of a maximum of five-eighths of an inch ($5/8$ in.). It should be swept with a dry sand cement mix of two to one (2 to 1) by volume;
- (f) Each paver shall be bevelled to a maximum of three-sixteenths of an inch ($3/16$ in.);
- (g) If feasible, where an interruption in the sidewalk occurs, the pressed concrete pavers shall be cut to fit, otherwise the interruption shall be treated by a square collar of poured concrete of the same color and treatment as the paver; and
- (h) The base shall have a four inch (4 in.) poured concrete slab and a three quarter inch ($3/4$ in.) sand cement setting bed of a two to one (2 to 1) mix by volume.

1105.2 On a street listed in §1105.3, the sidewalk shall be paved with brick which shall meet the following requirements:

- (a) The size shall be eight inches by four inches by two and one-half inches (8 in. x 4 in. x $2\frac{1}{2}$ in.) ;
- (b) The color shall be the red as specified in the standard specifications;
- (c) The pattern shall be as specified in the standard specifications;
- (d) The joint shall be at a maximum tolerance of one-eighth of an inch ($1/8$ in.) and shall be swept with a dry sand cement mix of two to one (2 to 1) by volume;
- (e) Where an interruption exists, the brick shall be cut to fit in the sidewalk area; and
- (f) The base shall be a four inch (4 in.) poured concrete slab and a three quarter inch ($3/4$ in.) sand-cement setting bed of two to one (2 to 1) mix by volume.

1105.3 Except as otherwise stated in this subsection, the sidewalk on both sides of the following streets shall comply with the requirements of §1105.2:

- (a) Massachusetts Avenue, N.W. from 15th Street, N.W. to 3rd Street, N.W.;
- (b) M Street, N.W. from Thomas Circle (14th Street, N.W.) to 3rd Street, N.W.;
- (c) L Street, N.W. from Massachusetts Avenue, N.W. to 4th Street, N.W.;
- (d) The north sidewalk of K Street, N.W. from 6th Street, N.W. to 3rd Street, N.W.;
- (e) I Street, N.W. from 7th Street, N.W. to Massachusetts Avenue, N.W.;

- (f) H Street, N.W. from 8th Street, N.W. to 4th Street, N.W.;
 - (g) The south sidewalk of G Street, N.W. from 5th Street N.W. to 4th Street, N.W.;
 - (h) F Street, N.W. from 5th Street, N.W. to 4th Street, N.W.;
 - (i) E Street, N.W. from 5th Street, N.W. to 4th Street, N.W.;
 - (j) The north sidewalk of D Street, N.W. from 5th Street, N.W. to 4th Street, N.W.;
 - (k) D Street, N.W. from 9th Street, N.W. to 6th Street, N.W.;
 - (l) Thirteenth Street, N.W. from Massachusetts Avenue, N.W. to M Street, N.W.;
 - (m) Twelfth Street, N.W. from Massachusetts Avenue, N.W. to M Street, N.W.;
 - (n) Eleventh Street, N.W. from Massachusetts Avenue, N.W. to M Street, N.W.;
 - (o) Tenth Street, N.W. from E Street, N.W. to H Street, N.W. and from Massachusetts Avenue, N.W. to M Street, N.W.;
 - (p) The east sidewalk of 9th Street, N.W. from Pennsylvania Avenue to E Street, N.W.;
 - (q) Ninth Street, N.W. from Massachusetts Avenue, N.W. to M Street, N.W.;
 - (r) Eighth Street, N.W. from Pennsylvania Avenue, N.W. to E Street, N.W. and from G Street, N.W. to M Street, N.W.;
 - (s) Seventh Street, N.W. from Pennsylvania Avenue, N.W. to M Street, N.W.;
 - (t) Sixth Street, N.W. from H Street, N.W. to Massachusetts Avenue, N.W. and from K Street, N.W. to M Street, N.W.;
 - (u) Fifth Street, N.W. from D Street, N.W. to G Street, N.W., from H Street, N.W. to Massachusetts Avenue, N.W., and from K Street, N.W. to M Street, N.W.;
 - (v) Fourth Street, N.W. from D Street, N.W. to G Street, N.W., from H Street, N.W. to Massachusetts Avenue, N.W., and from K Street, N.W. to M Street, N.W.; and
 - (w) The sidewalks abutting Mount Vernon Square, N.W.
- 1105.4 Applicants may make variations within the predominant paving field, including but not limited to, special designs at building entrances, mosaics, and other design statements.
- 1105.5 The surface of a brick paver or a pressed concrete paver shall be non-slip.

- 1105.6 Large rough exposed aggregates in the sidewalk paving treatment shall not be approved.
- 1105.7 Smaller pressed concrete pavers or brick pavers, paved concrete, or other paving treatments may be approved where grade problems are not able to be resolved by any other method.
- 1105.8 Driveways shall be paved in a manner that distinguishes the driveway from the sidewalk and the street.
- 1105.9 Except as otherwise approved, driveways and aprons shall be paved with concrete in accordance with the District of Columbia Department of Public Works *Standard Specifications for Highways and Structures* (1974), as amended.
- 1105.10 Ramps for use by the handicapped shall meet the following requirements:
- (a) The standard material shall be poured concrete;
 - (b) The color shall be lighter than the adjoining pavement and shall be a non-colored concrete;
 - (c) Where possible, handicapped ramps shall be installed after the adjoining sidewalk pavement and curb are installed;
 - (d) Handicapped ramps shall be allowed to be slightly oversized to avoid putting small pieces at the adjoining pavement; and
 - (e) Handicapped ramps shall be located within the parallel to the crosswalk; Provided, that where the crosswalk is at a sharp angle to the curb, the layout and design of the handicapped ramp shall be specifically approved by the Director.
- 1105.11 Expansion joints between pavers and other elements shall not be greater than three-quarters of an inch (3/4 in.) and shall be filled with caulking material.
- 1105.12 Curbs shall be a gray granite curb.
- 1105.13 Except as provided in §1105.14, gutters shall be of the same material that existed before the repair or the replacement.
- 1105.14 Gutters shall be brick on the following streets:
- (a) Pennsylvania Avenue, N.W. from the 1st Street, N.W. to 15th Street, N.W.; and
 - (b) New York Avenue, N.W. from 9th Street, N.W. to 15th Street, N.W.
- 1105.15 The crosswalk treatment shall conform to the requirements set forth in the standard specifications.

1105.16 The catch basin treatment shall be specifically approved by the Director.

1105.17 Catch basins shall consist of poured concrete.

SOURCE: Final Rulemaking published at 31 DCR 3598, 3603 (July 20, 1984); as amended by Final Rulemaking published at 31 DCR 5316 (October 26, 1984).

1106 STANDARDS FOR TREES AND LANDSCAPING

1106.1 Where a conflict exists between the standards set forth in this section and a standard set forth in §§1105 and 1107, the standards set forth in this section shall take precedence.

1106.2 Except as required in §1106.3, one (1) row of trees shall be required on each side of the street.

1106.3 Two (2) rows of trees shall be required on each side of the street on Massachusetts Avenue, New Jersey Avenue, Indiana Avenue, and K Street east of 12th Street, N.W.

1106.4 Except as provided for in §1106.5, the species of the required trees shall be in conformance with a list prepared by the Director.

1106.5 Subject to approval by the Director, the second row of trees on New Jersey Avenue, Indiana Avenue, and K Street east of 12th Street, N.W. and any other additional rows of trees proposed by the applicant, may be of a species selected by the applicant and approved by the Director.

1106.6 The trees shall be planted to conform to the following requirements:

- (a) Trees shall be planted a minimum of forty feet (40 ft.) from the intersection of the radius tangent line and the curb, and shall allow motorists and pedestrians to clearly view traffic control devices;
- (b) Trees shall be planted thirty-four feet to thirty-six feet (34 ft. to 36 ft.) apart;
- (c) Where necessary to avoid other fixed elements in the public space, trees may be planted a minimum of thirty feet (30 ft.) apart or a maximum of fifty feet (50 ft.) apart;
- (d) On New York Avenue, trees shall be planted as close to thirty feet (30 ft.) apart as possible;
- (e) On Massachusetts Avenue, trees shall be planted forty feet (40 ft.) apart with the second row of trees set back twenty feet (20 ft.) from the curb and staggered at even forty foot (40 ft.) intervals between curb trees;
- (f) Trees shall be at least eight feet (8 ft.) from any building or utility vault;
- (g) Trees shall be at least fifteen feet (15 ft.) from a street-light;

- (h) Trees shall be at least twelve feet (12 ft.) from any above grade building projection;
- (i) Trees shall be at least seven feet (7 ft.) from a driveway or an alley;
- (j) Trees shall be planted in the center of the tree space;
- (k) When planted, the size (caliper) of the tree shall be at least three and one-quarter inches to four inches (3¼ in. to 4 in.);
- (l) Trees shall be nursery grown and planted balled and burlapped; and
- (m) When planted, trees shall be supported by three (3) wooden stakes.

1106.7 The tree space shall satisfy the following requirements:

- (a) On those streets which are not listed in §1105.3 and which are south of Massachusetts Avenue, the dimension of the tree space is four feet by ten feet (4 ft. x 10 ft.) with a minimum depth of three feet (3 ft.);
- (b) On a street listed in §1105.3, on Massachusetts Avenue and on all other streets north of Massachusetts Avenue, the tree space adjacent to the curb shall be four feet (4 ft.) wide and continuous and shall have a minimum depth of three feet (3 ft.);
- (c) The tree space shall be backfilled with a planting mix specifically approved by the Director;
- (d) On all streets south of Massachusetts Avenue, the tree space shall be protected by the installation of removable tree grates or previous paving material in the tree space;
- (e) The tree space shall be open to soil on all sides; and
- (f) Where an enclosed tree space is required due to below grade restrictions, drainage shall be provided from beneath the tree space.

1106.8 Where public space exists between the edge of the sidewalk and the property line, a landscape plan for this area shall be required as part of the submitted streetscape plan.

1106.9 Subject to approval by the Public Space Committee, an applicant may install public art in the public space between the sidewalk and the property line.

1106.10 Subject to approval by the Director, raised planter boxes shall be permitted at the edge of the public space between the sidewalk and the property line or at the building; Provided, that the following requirements are fulfilled;

- (a) Raised planter boxes shall be a minimum of ten feet (10 ft.) from the curb;

- (b) Raised planter boxes shall be clear of other sidewalk streetscape elements, including, but not limited to, trees and tree spaces, signs, meters and streetlight poles; and
- (c) Where planter boxes are accessible to pedestrians, the planter box shall be designed to serve as seating.

SOURCE: Final Rulemaking published at 31 DCR 3598, 3606 (July 20, 1984).

1107 STANDARDS FOR UNDERGROUND VAULTS

- 1107.1 All vaults shall be set back at least ten feet (10 ft.) from the curb, and where two (2) rows of trees are proposed or required the first level of the building vaults shall be set back at least thirty (30 ft.) from the curb.
- 1107.2 Where the existing building vault is within ten feet (10 ft.) of the curb, (or within thirty feet (30 ft.) of the curb where two (2) rows of trees are required or proposed), the applicant shall be required to abandon and backfill the existing vault with a suitable material solely to the extent necessary for the planting of the trees required by §1106.
- 1107.3 Utility vaults shall not be within eight feet (8 ft.) of a tree location. Utility vaults shall be in conformance with the applicable District of Columbia laws, rules, and regulations.
- 1107.4 PEPCO equipment serving new construction or substantial rehabilitation shall be located in vaults or on pads on private property; except the Director may approve a different location for a utility vault, pad, or manhole when the following conditions are satisfied:
 - (a) Locating PEPCO equipment in a vault or within or on the roof of a building or on a pad on private property is not feasible;
 - (b) The proposed location for the utility vault shall not be within or under the major pedestrian movement areas;
 - (c) The manhole covers shall be solid and filled with a material the same as or compatible with the adjoining sidewalk or, if the use of solid covers is not feasible, then the number and size of ventilation grates shall be kept to a minimum;
 - (d) When proposed to be located in a driveway or a public alley, the utility vaults and the grate covers shall be capable of withstanding the weight of commercial vehicles, and shall be located to avoid major pedestrian movement areas; and
 - (e) When proposed to be located on the public space between the sidewalk and the property line, the utility vault may be located in this area when the following conditions are fulfilled:
 - (1) The utility vault is incorporated into the landscape design; and

(2) The utility vault does not interfere with the planting of required trees.

1107.5 When feasible and practical, existing vaults shall conform with the standards set forth in this section.

SOURCE: Final Rulemaking published at 31 DCR 3598, 3609 (July 20, 1984).

1108 STANDARDS FOR STREET ACCESS

1108.1 The location of curb cuts and driveways shall be approved when the following conditions are fulfilled:

- (a) The land use, traffic and pedestrian patterns, and transit operation in the area have been considered;
- (b) Where feasible, access to loading and parking facilities shall be from an alley;
- (c) Where feasible, loading facilities shall be located below grade;
- (d) Entrances to a loading facility shall be a minimum width of twelve feet (12 ft.);
- (e) On the following streets, curb and cuts and driveways shall be approved only if the applicant demonstrates that there is no other means or method of providing vehicular access to the property;
 - (1) F Street;
 - (2) G Street;
 - (3) Eighth Street between Pennsylvania Avenue and Massachusetts Avenue;
 - (4) Seventh Street between M Street and Pennsylvania Avenue;
 - (5) Tenth Street between M Street and Pennsylvania Avenue; and
 - (6) I Street between Ninth Street and Massachusetts Avenue; and
- (f) Circular driveways and building entrance driveways shall not be permitted, unless approved by the Director.

1108.2 The design of a driveway shall fulfill the following requirements;

- (a) Except as provided for in this subsection, a driveway shall be a minimum width of twelve feet (12 ft.) and a maximum width of twenty-five feet (25 ft.);
- (b) A driveway may be a maximum width of thirty feet (30 ft.) if the driveway is a shared or joint driveway;

- (c) The curb cut may be wider than twenty-five feet (25 ft.) to provide for the turning of large commercial vehicles; Provided, that the driveway shall not be wider than thirty feet (30 ft.);
- (d) To provide for the planting of trees, a driveway shall not be located within sixteen feet (16 ft.) of another driveway, and the driveway shall be at least eight feet (8 ft.) from the adjacent interior property line;
- (e) If feasible, a driveway shall be at least forty feet (40 ft.) from the point of intersection of the two (2) street curbs; Provided, that a driveway may be approved that is no less than twenty-five feet (25 ft.) from the point of intersection of the two (2) street curbs;
- (f) The angle of the intersection of a driveway shall provide access by passenger vehicles in the curb lane of traffic;
- (g) Driveways shall be designed to avoid vehicle backing and vehicle waiting within the street;
- (h) Where the driveway provides access to a parking facility the driveway shall provide a sufficient off-street storage area for vehicles waiting to enter the parking facility; and
- (i) One-way driveways for large commercial vehicle access shall be permitted.

1108.3 The use of shared driveways for more than one (1) property or buildings and the shared use of parking and loading facility by more than one (1) property or building shall be permitted.

SOURCE: Final Rulemaking published at 31 DCR 3598, 3610 (July 20, 1984).

1109 INSTALLATION REQUIREMENT

1109.1 Any person who satisfies the requirements of §1100.1 shall install the following streetscape elements:

- (a) The appropriate paving material and the sidewalk elements required pursuant to §1105; and
- (b) The appropriate trees required pursuant to §1106.

SOURCE: Final Rulemaking published at 31 DCR 3598, 3611 (July 20, 1984).

1110 MAINTENANCE REQUIREMENT

1110.1 Any person who installs a tree pursuant to this chapter shall guarantee the life of the tree for one (1) year and shall replace any tree that dies or becomes diseased during the one (1) year period.

- 1110.2 The adjacent property owner shall water any tree in the public space adjacent to that person's property.
- 1110.3 The adjacent property owner shall perform any needed maintenance of the tree space, including but not limited to, cleaning, weeding, mulching, and replacement of grates or paving materials.
- 1110.4 The adjacent property owner shall perform any needed general maintenance work on landscaped areas and planter boxes installed on public space.
- 1110.5 The Department shall perform maintenance work on trees installed in public space, including but not limited to, pruning and spraying and, when necessary after the one (1) year period provided for in §1110.1, the Department shall replace any tree in public space.
- 1110.6 When necessary, the Department shall remove the grates, the previous paving material, or any other material installed in the tree space to perform necessary maintenance on the tree or the roots of the tree.
- 1110.7 The adjacent property owner or the Department may perform any emergency maintenance of a tree in the public space.

SOURCE: Final Rulemaking published at 31 DCR 3598, 3612 (July 20, 1984).

1199 DEFINITIONS

- 1199.1 When used in this chapter, the following terms and phrases shall have the meanings ascribed:

Department - the District of Columbia Department of Public Works.

Director - the Director of the department or the Director's designee.

Downtown - the Downtown Urban Renewal Area and the westside of North Capital Street and both sides of all other boundary streets of the Downtown Urban Renewal Area.

Manhole - vaults which house the equipment of any private or public utility company or agency.

Pennsylvania Avenue Development Corporation (PADC) area - the area immediately north of Pennsylvania Avenue bounded by East Executive Drive on the west, 3rd Street, N.W. on the east, and E and F Streets, N.W. on the north, as established in the PADC Act at 40 U.S.C. 871(f).

Property Line - the line of demarcation between privately owned property fronting or abutting a street and the publicly owned property in such street.

Public Space - all the publicly owned property between the property lines on a street, as the property lines are shown on the Department's records including, but not limited to, the roadway, tree space and sidewalks.

Redevelopment - the construction of a new building or a new structure.

Rehabilitation - the repair of an existing, reusable structure or building which provides a satisfactory improved physical condition for the intended use of the structure or building.

Standard Specifications - the District of Columbia Department of Highway and Traffic (now the Department of Public Works) Standard Specifications for Highways and Structures (1974) as amended by the July 1, 1981 Supplemental Specifications, and as further amended.

Street - a public highway as shown on the records of the District, whether designated as a street, alley, avenue, freeway, road, drive, lane, place, boulevard, parkway, circle, or by any other term.

Substantial Rehabilitation - the rehabilitation of an existing structure or an existing building when the estimated cost of the rehabilitation, as determined for a building permit, is fifty percent (50%) or more of the value of the structure.

Transformer Manhole - a manhole which houses an electrical transformer. It generally has grates on the roof, but the roof may consist of solid material.

Vault - a structure or an enclosure of space beneath the surface of the public space including, but not limited to, tanks for petroleum products, utility vaults and building vaults. If the structure or enclosure of space is divided horizontally into two (2) or more levels the term "vault" shall be considered as applying to one (1) level only, and each level shall be considered as a separate vault.

SOURCE: Final Rulemaking published at 31 DCR 3598, 3612 (July 20, 1984).

